## REMARKS

Claims 1-18 are pending in this application. By this Amendment, claims 1 and 10 are amended. No new matter is added. Reconsideration of the application is respectfully request.

The Examiner is thanked for the many courtesies extended to Applicant's attorney in the course of a personal interview conducted October 27, 2004, as well as during numerous telephone interviews. The substance of the interviews is incorporated herein in accordance with MPEP §713.04.

During the interviews, Applicant requested clarification of the Office Action. The Examiner explained that U.S. Patent No. 6,412,070 to Van Dyke et al. ("Van Dyke") teaches an access control list (ACL) as a retrieval condition, but does not clearly teach how to retrieve an object. Applicant presented arguments base don those set forth in the September 7, 2004 Request for Reconsideration.

Agreement could not be reached though, as Applicant believes that amendment of the claims is not necessary to define over Van Dyke. Applicants respectfully submit that this is still the case even though the Examiner has applied a new reference in combination with Van Dyke and clarified his position regarding the retrieval condition allegedly disclosed in Van Dyke.

Claims 1 and 10 are rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite. Although Applicant respectfully disagrees, claims 1 and 10 are amended to expedite prosecution, without narrowing the claims. Specifically, claims 1 and 10 are amended to use the definite pronoun "the" with the second reference to "object." However, it should be understood that the methods and systems recited in the claims are applicable to a single object or multiple objects.

It is respectfully submitted that claims 1 and 10 fully comply with 35 U.S.C. §112. Therefore, withdrawal of the rejection is respectfully requested.

Claims 1-18 are rejected under 35 U.S.C. §103(a) as unpatentable for U.S. Patent No. 6,412,070 to Van Dyke et al. ("Van Dyke") in view of U.S. Patent No. 6,513,039 to Kraenzel.

Applicant respectfully submits that Van Dyke and Kraenzel, taken separately or in combination, do not disclose, teach or suggest "defining a retrieval condition for retrieving an object," let alone a retrieval condition "defined based on at least one attribute of the object," as recited in claim 1, and similarly recited in claim 10.

Although Applicants have previously explained this shortcoming of Van Dyke, the present Office Action more clearly states the basis for its assertion. The Office Action alleges that defining the access control list (ACL) disclosed by Van Dyke in column 5, lines 36-45, and column 6, lines 30-44, corresponds to defining a retrieval condition for retrieving an object. Applicant respectfully disagrees.

The text in column 5 of Van Dyke cited by the Office Action describes "an extensible access control mechanism" that is achieved by defining "a new object referred to . . . as a control access right." See col. 5, lns. 37-39. The "control access rights" according to Van Dyke "do not control access to data within objects . . . but control access to an operation . . . to be performed on or by [the0 object." See col. 5, lns. 41-44. Although the "control access rights" described by Van Dyke provide a new functionality (i.e., permitting or preventing desired operations), the "control access rights" are used identically and in conjunction with the other conventional information in access control lists, such as access rights that permit or prevent access to data within objects.

Thus, the "control access rights" according to Van Dyke are used to grant or deny access, not as a retrieval condition for retrieving an object. There is simply no support in Van Dyke for characterizing the "control access rights" as retrieval conditions. As set forth in the text in column 6 of Van Dyke cited by the Office Action, the "access control rights" form

access-control entries of access-control lists to grant or deny access to a requested object. See col. 6, lns. 25–44.

That Van Dyke fails to correlate the "access control rights" relied on by the Office Action to any retrieval operation is fatal to the logic of the asserted rejection. The "access control rights" of Van Dyke are not used for retrieval, but for controlling access, as with conventional access rights.

This point is underscored by the fact that the feature disclosed by Van Dyke that is alleged by the Office Action to correspond to the feature of "setting an access right" recited in claim 1 includes the "access control rights." The Office Action cites column 6, lines 57-67 as allegedly disclosing the feature of "setting an access right." This cited text refers directly to the access-control entries (ACEs) described in column 6, lines 30-44, the text being relied upon by the Office Action for allegedly disclosing the feature of "defining a retrieval condition for retrieving an object."

Thus, the Office Action fails to distinguish between an access right and a retrieval condition. While Van Dyke discloses a "new object" referred to as "a control access right" that is used in conjunction with conventional access rights, the "control access right" arguably corresponds to an "access right," as recited in claims 1 and 10, because the "control access right" of Van Dyke is used only to permit or prevent desired operations. The "control access right" of Van Dyke cannot reasonably be characterized as a retrieval condition merely because it provides an additional functionality to conventional access rights. The "control access right" of Van Dyke is simply not used for retrieving an object, and thus cannot be considered to be "a retrieval condition for retrieving an object," as recited in claims 1 and 10.

Access to an object and retrieval of an object are different operations. The interpretation of Van Dyke set forth in the Office Action destroys any difference between access and retrieval. This is improper as it distorts the meaning of claims 1 and 10 beyond

any reasonable interpretation. Claims 1 and 10 set forth "a retrieval condition for retrieving an object" and separately set forth "an access right" on the basis of which access control for the object is performed. Further, as recited in claims 1 and 10, the access right is set "in association with the retrieval condition."

Claims 1 and 10 thus clearly set forth a relationship between a retrieval condition for retrieving an object and an access right for performing access control for the object. Van Dyke discloses associating "control access rights" with other access information (conventional access rights) as access-control entries (ACEs) of access-control lists (ACLs), which are used only to permit or deny access, and not to retrieve an object.

The Office Action further confuses the difference between access and retrieval by asserting that "Kraenzel teaches performing access control by retrieving the requested object from the user based on his/her access privileges for the object stored in an access control list." Applicant respectfully disagrees with this characterization of Kraenzel.

Kraenzel discloses conventional access control in which an object cannot be retrieved if access is denied. Although Kraenzel discloses both that an access control list is used for access control and that an object is retrieved, Kraenzel does not disclose, teach or suggest that access control is performed by retrieving the requested object. For example, in Fig. 3, Kraenzel discloses that access control is performed by steps 152, 156, 162 and 166. Steps 158 and 160 are performed only once access is granted, i.e., only after access control is completed. The retrieval and presentation of the object in steps 158 and 160 form no part of the actual access control. Thus, if the access control determines that access is not to be granted, steps 158 and 160 do not occur.

Based on the confusion between access and retrieval set forth in the Office Action, Applicant has amended claims 1 and 10 for the sake of clarity only. As such, it is respectfully submitted that the claims are not narrowed by such amendment. Specifically claims 1 and 10

are amended to recite that the retrieval condition is defined based on at least one attribute of the object to correlate the retrieval object with its function of retrieving the object.

In view of the foregoing, it is respectfully submitted that claims 1 and 10 are patentable over Van Dyke and Kraenzel. Claims 2-9 and 11-18 are patentable over Van Dyke and Kraenzel at least in view of the patentability of claims 1 and 10 from which they respectively depend, as well as for the additional features they recite. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) is respectfully requested.

Therefore, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-18 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

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